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9 Attorneys for Plaintiff
10 JUAN VALENCIA

11 **UNITED STATES DISTRICT COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA**

13 JUAN VALENCIA,
14 Plaintiff,
15 vs.

16 CALLIOPI ASH, AS TRUSTEE OF THE
17 BYPASS TRUST OF THE ASH FAMILY
18 TRUST; and DOES 1 to 10,
19 Defendants.

Case No.: 2:23-cv-02119-GW (SKx)

**Plaintiff's Notice of Motion and Motion
for Default Judgment by Court**

Date: December 7, 2023
Time: 8:30 a.m.
Courtroom: 9D

Honorable Judge George H. Wu

20 To Defendant CALLIOPI ASH, AS TRUSTEE OF THE BYPASS TRUST OF
21 THE ASH FAMILY TRUST, and the attorneys of record, if any: Please take notice that
22 on December 7, 2023, at 8:30 a.m., or as soon thereafter as this matter may be heard by
23 this Court located at 350 West First Street, Los Angeles, California, Plaintiff JUAN
24 VALENCIA will present Plaintiff's motion for default judgment against Defendant
25 CALLIOPI ASH, AS TRUSTEE OF THE BYPASS TRUST OF THE ASH FAMILY
26 TRUST. The Clerk has previously entered the default on said Defendant on August 7,
27 2023 (Dkt. #14).

1 At the time and place of hearing, Plaintiff will present proof of the following
2 matters: (1) Defendant CALLIOPI ASH, AS TRUSTEE OF THE BYPASS TRUST OF
3 THE ASH FAMILY TRUST, is not a minor or an incompetent person or in military
4 service or otherwise exempted under the Soldier and Sailor's Civil Relief Act of 1940;
5 (2) Defendant CALLIOPI ASH, AS TRUSTEE OF THE BYPASS TRUST OF THE
6 ASH FAMILY TRUST, has not appeared in this action; and (3) Plaintiff is entitled to
7 judgment against said Defendant on account of the claims pleaded in the complaint, to
8 wit: a violation of the Americans with Disabilities Act, the Unruh Civil Rights Act, the
9 California Disabled Persons Act, the California's Unfair Competition Act, and
10 Negligence.

11 The Plaintiff seeks a judgment in the amount of \$4,000.00 in statutory damages,
12 \$2,370.00 in attorney's fees, and \$577.00 in costs as set forth in the attached Declaration
13 of Jason J. Kim and an Order directing the Defendant to: make alterations in such a
14 manner that, to the maximum extent feasible, the goods, services, facilities, privileges,
15 advantages, or accommodations offered by Defendant are readily accessible to and usable
16 by individuals with disabilities at the property located at or about 3701 W. Burbank
17 Blvd., Burbank, California. This motion is based on this notice, the declarations
18 submitted in support of this motion, and other matters which may be presented at the
19 hearing.

20 Notice of the original motion for default judgment by court was served on
21 Defendant CALLIOPI ASH, AS TRUSTEE OF THE BYPASS TRUST OF THE ASH
22 FAMILY TRUST, on November 6, 2023, by first class United States Mail, postage
23 prepaid.

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1 Dated: November 6, 2023

SO. CAL. EQUAL ACCESS GROUP

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4 By: /s/ Jason J. Kim
5 Jason J. Kim, Esq.
6 Attorneys for Plaintiff
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